

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/578,420

Filing Date: May 5, 2006

Applicants: Kouji Kametaka et al.

Group Art Unit: 3656

Examiner: Alan B. Waits

Title: BEARING APPARATUS FOR A WHEEL OF VEHICLE

Attorney Docket: 6340-000072/NP

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In response to the Examiner's Election Requirement under 35 U.S.C. 121 dated April 15, 2009, Applicants traverse the Examiner's restriction requirement.

The Examiner has issued an election of species requirement that alleges that the application contains two (2) different species. Additionally, the Examiner alleges that no claims are generic.

Applicants believe that the Examiner will not experience an undue burden in examining all alleged species. While the Examiner alleges an undue burden exists, he does not provide specifics such as class and subclass. Thus, the Examiner has failed to establish a *prima facie* case by providing an appropriate explanation of separate

classification, or separate status in the art, or a different field of search is required. Accordingly, the Examiner has failed to meet the standards for a prima facia showing that restriction is proper and is required. Accordingly, Applicants request reconsideration by the Examiner.

In the event that the Examiner disagrees with Applicants' position, Applicants elect Group A, which covers Claims 7 and 8.

Should the Examiner have any additional questions or comments, he should not hesitate to contact the undersigned at (248) 641-1600.

Respectfully submitted,

By:

W. R. Duke Taylor  
Reg. No. 31,306

Dated: May 8, 2009

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